

Message Text

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43

ACTION EUR-12

INFO OCT-01 AF-08 NEA-10 ISO-00 EB-07 COME-00 DLOS-06

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FM AMEMBASSY NOUAKCHOTT

TO SECSTATE WASHDC 6093

INFO AMCONSUL CASABLANCA

AMEMBASSY DAKAR

AMEMBASSY MOSCOW

USMISSION USUN

AMEMBASSY RABAT

C O N F I D E N T I A L NOUAKCHOTT 1860

CASABLANCA FOR FISHERIES ATTACHE

E.O. 11652: XGDS(1)

TAGS: EFIS, PFOR, PLOS, MR, UR

SUBJECT: SOVIET FISHING VESSELS SEIZED OFF WESTERN SAHARA

REF: (A) NOUAKCHOTT 1125, (B) NOUAKCHOTT 1229, (BOTH NOTAL)

1. USSR HAS BEEN ENGAGED IN EXTENSIVE FISHING ACTIVITY IN MAURITANIAN WATERS FOR NUMBER OF YEARS (SEE REFTELS FOR CURRENT STATUS OF SOVIET FISHING). IN ADDITION, SOVIET UNION HAS PROVIDED AND CONTINUES TO PROVIDE FISHERIES-RELATED ASSISTANCE TO GIRM. TWO PATROL BOATS WERE TURNED OVER TO MAURITANIAN NAVY -- FIRST ONE IN 1974 AND SECOND IN 1976. USSR IS ALSO BEGINNING CONSTRUCTION OF OCEANOGRAPHIC RESEARCH CENTERUK NOUADHIBOU. THESE CLOSE TIES IN DOMIAN OF FISHING DID NOT, HOWEVER, EXEMPT SOVIETS FROM HAVING TWO OF THEIR FISHING VESSELS SEIZED OFF WESTERN SAHARA IN JUNE.

2. SOVIET FIRST SECRETARY IVAN SHEVTCHENKO, IN RESPONSE TO QUESTION FROM EMBASSY OFFICER, CONFIRMED THAT MAURITANIAN NAVY
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BASED AT NOUADHIBOU HAILED TWO SOVIET TRAWLERS ON JUNE 23 IN

WATERS OF MAURITANIAN PORTION OF WESTERN SAHARA. SOVIET WHALER GIVEN TO GIRM IN 1974 WAS RESPONSIBLE FOR SEIZURE. TO ADD INSULT TO INJURY, SOVIET TECHNICAL EXPERT WAS ON BOARD GIRM PATROL BOAT WHEN TWO SOVIET VESSELS WERE HAILED TO AND REQUIRED TO DOCK AT NOUADHIBOU. MONTH-LONG DISCUSSIONS BETWEEN GIRM AND SOVIET OFFICIALS TOOK PLACE BEFORE TRAWLERS WERE PERMITTED TO LEAVE NOUADHIBOU. ACCORDING TO SHEVTCHENKO, GIRM AGREED TO RELEASE OF VESSELS ONLY AFTER USSR PAID "LARGE" FINE.

3. FOR THEIR PART, SOVIETS CLAIMED THAT FISHING VESSELS FLYING FLAGS OF SEVERAL NATIONS ARE STILL OPERATING OFF WESTERN SAHARA. (GIRM DIRECTOR, NOW MINISTER, OF FISHERIES CONFIRMED THIS TO EMB. OFF. LAST APRIL--NOUAKCHOTT 888. IN ADDITION, SPANISH VESSELS SEIZED IN MARCH--NOUAKCHOTT 831--MAY WELL HAVE BEEN IN SAHARAN WATERS). SOVIETS ALSO ARGUED THAT LEGAL SITUATION CONCERNING WATERS OFF SAHARA IS NOT CLEAR. IN FINAL ANALYSIS, HOWEVER, SOVIETS HAD TO PAY FINE IN ORDER TO OBTAIN RELEASE OF VESSELS.

4. COMMENT: SOVIETS ARE QUITE RIGHT IN NOTING NEBULOUS LEGAL STATUS OF WATERS OFF WESTERN SAHARA. APRIL 14 BORDER AGREEMENT BETWEEN MOROCCO AND MAURITANIA STATED THAT DIVISION OF CONTINENTAL SHELF BETWEEN TWO COUNTRIES FOLLOWS 24TH PARALLEL. MAURITANIA HAS ALSO ISSUED DECREE STATING THAT ITS PORTION OF WESTERN SAHARA-- TIRIS EL GARBIA-- IS NOW INTEGRAL PART OF MAURITANIA. BUT NEITHER THIS DECREE NOR ANY OTHER MAURITANIAN DECREE OR LAW HAS SPECIFICALLY ADDRESSED QUESTION OF WATERS OFF TIRIS EL GARBIA. GIRM AND EXPATRIATE JURISTS RECENTLY EXPRESSED OPINION TO EMB. OFF. THAT LEGAL STATUS OF WATERS OFF MAURITANIAN PORTION OF SAHARA IS, IN FACT, UNCLEAR. HANDYSIDE

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